

HOUSE BILL 2174

By Lamberth

AN ACT to amend Tennessee Code Annotated, Section 4-29-243; Section 4-29-248 and Title 49, Chapter 11, Part 7, relative to community-based vocational rehabilitation services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-11-701, is amended by deleting "rehabilitation centers" wherever it appears and substituting "community-based vocational rehabilitation services".

SECTION 2. Tennessee Code Annotated, Section 49-11-702(1), is amended by deleting "the rehabilitation centers" and substituting "community-based vocational rehabilitation services".

SECTION 3. Tennessee Code Annotated, Section 49-11-702, is amended by adding the following as a new subdivision:

() "Community-based vocational rehabilitation services" means vocational rehabilitation services provided by the vocational rehabilitation program in partnership with the local community as authorized under this part;

SECTION 4. Tennessee Code Annotated, Section 49-11-703, is amended by deleting the section and substituting:

(a) The commissioner is authorized to establish a system of community-based vocational rehabilitation services for persons with disabilities based on the specific needs within the local community.

(b) The system must include community-based vocational rehabilitation services established wholly or in part by the department as determined by the commissioner, to

support federally authorized rehabilitation services to eligible members of the community in response to local business or community needs.

(c) A program established to deliver community-based vocational rehabilitation services pursuant to this part is designated as the "Tennessee Vocational Rehabilitation Program at _____" (name of community where located).

(d)

(1) The department shall appoint a local advisory board for each community in which the department establishes community-based vocational rehabilitation services.

(2) The commissioner or the commissioner's designee, with the advice of the statewide advisory board, shall appoint the members of each local advisory board from among the citizens of the community where the services are provided.

(3) The boards must be composed of twelve (12) members, who must serve for staggered terms of four (4) years and must receive no compensation for their services.

(4) Wherever possible, each advisory board must include among its members representation from the professional fields of education, vocational rehabilitation, human services, employment security, psychology, law, and medicine. To achieve such representation, the commissioner or the commissioner's designee may appoint to such board state personnel from a field enumerated in this subdivision (d)(4) who are employed in or reside in a community where community-based vocational rehabilitation services are provided. When appointing members to the advisory board pursuant to this

subsection (d), the commissioner or the commissioner's designee shall consider diversity.

(5) No more than two (2) members of a local advisory board may be parents of an individual with a disability.

(e) Each local advisory board has the following responsibilities:

(1) Provide advice, in cooperation with vocational rehabilitation program staff and the department, regarding the operation of the rehabilitation services program and the customers served in the board's community;

(2) Assist, in coordination with the public-school system, the provision of services for students with disabilities in preparation for post-secondary education or employment after high school;

(3) Promote community support and education concerning persons with disabilities and their employment;

(4) Provide placement coordination in the local community for the development of employment opportunities for persons with disabilities; and

(5) Assist vocational rehabilitation program staff in presenting the proposed local operating budget to the proper local officials for certification.

(f) Customers of community-based vocational services established pursuant to this part are not considered state employees. Funds paid to these customers for employment must be paid in accordance with all federal vocational rehabilitation program requirements.

SECTION 5. Tennessee Code Annotated, Section 49-11-704(a), is amended by deleting "rehabilitation centers" wherever it appears and substituting "community-based vocational rehabilitation services program".

SECTION 6. Tennessee Code Annotated, Section 49-11-704(a)(1)(F), is amended by deleting the subdivision and substituting:

(F) One (1) established board or taskforce recognized by the state and charged with focusing on the employment of individuals with disabilities; and

SECTION 7. Tennessee Code Annotated, Section 49-11-704(b), is amended by deleting "rehabilitation center" and substituting "community-based vocational rehabilitation services".

SECTION 8. Tennessee Code Annotated, Section 49-11-704(b), is amended by deleting "the program" and substituting "the vocational rehabilitation program".

SECTION 9. Tennessee Code Annotated, Section 49-11-704(d), is amended by deleting the subsection and substituting:

(d) The commissioner, through the division, shall, with the advice and assistance of the advisory board, set and enforce standards for the delivery of community-based vocational rehabilitation services, assist communities in organizing community-based vocational rehabilitation services, develop and administer contractual arrangements between the community and the division, and develop partnerships with industry on a local, statewide, and national basis in order to provide the types of training and work experience most needed by customers to prepare them for competitive, integrated employment in accordance with all federal vocational rehabilitation program requirements.

SECTION 10. Tennessee Code Annotated, Section 49-11-707, is amended by deleting "vocational rehabilitation program clients who receive training and other approved services at a rehabilitation center" and substituting "customers who receive community-based vocational rehabilitation services".

SECTION 11. Tennessee Code Annotated, Section 49-11-708, is amended by deleting "rehabilitation center" and substituting "community-based vocational rehabilitation services".

SECTION 12. Tennessee Code Annotated, Section 4-29-243(a)(1), is amended by deleting the subdivision.

SECTION 13. Tennessee Code Annotated, Section 4-29-248(a), is amended by adding the following as a new subdivision:

() Advisory board for community-based vocational rehabilitation services,
created by § 49-11-704;

SECTION 14. This act takes effect upon becoming a law, the public welfare requiring it.